

**GOVERNMENT OF PUERTO RICO
PUERTO RICO PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**

NEPR

Received:

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IN RE:

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN-
DECEMBER 2020

CASE NO. NEPR-MI-2021-0002

**SUBJECT: Urgent Motion to Reiterate
Submission of Fiona Permanent Work Area Plan:
Mayagüez G.**

**URGENT MOTION TO REITERATE SUBMISSION OF
FIONA PERMANENT WORK AREA PLAN: MAYAGÜEZ G**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and LUMA Energy ServCo, LLC, (jointly referred to as “LUMA”), through the undersigned legal counsel and, respectfully submit the following:

1. On March 26, 2021, this Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order in the instant proceeding (the “March 26 Order”), ordering—in pertinent part—that the Puerto Rico Electric Power Authority (“PREPA”) submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency (“FEMA”) funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency (“COR3”), FEMA or any other federal agency. *See* March 26 Order on pages 18-19. The Energy Bureau thereafter determined that this directive should be applied to both PREPA and LUMA. *See* Resolution and Order of August 20, 2021 (“August 20 Order”) on page 3.

2. Consequently, LUMA has submitted several Transmission and Distribution projects to this Energy Bureau beginning on July 8, 2021. LUMA has submitted 265 initial scopes of work (“SOW”) and one Area Plan to date. The Energy Bureau has approved all the SOWs submitted by LUMA as of March 14, 2025.

3. Following the extensive infrastructure damage caused by Hurricane Fiona in September 2022, LUMA is advancing permanent restoration efforts under FEMA’s traditional Section 406 of the Stafford Act Public Assistance program. Unlike the Section 428 of the Stafford Act fixed-cost model used for Hurricane Maria (FEMA Accelerated Award Strategy [“FAAST”]), the traditional Public Assistance program process reimburses actual costs to restore eligible, disaster-damaged infrastructure. This requires rigorous documentation, damage validation, environmental review, and regulatory compliance. Therefore, LUMA has adopted a structured Area Plan approach to align with the Energy Bureau's proceedings requirements and ensure transparency and regulatory coordination. Each Area Plan outlines LUMA’s comprehensive recovery goals for a specific geographic region, including funded and unfunded scope elements across FEMA’s Fiona program, Maria’s FAAST program, and other sources. Due to their interregional nature, transmission projects are addressed separately through regional planning. LUMA submits these Area Plans to the Energy Bureau for review and approval before project formulation, ensuring consistency with energy policy goals. In *Exhibit 1* to this Motion, LUMA explains in detail its approach to FEMA’s Public Assistance process from now on.

4. On June 27, 2025, LUMA filed a *Motion Submitting One Area Plan, Request for Confidentiality, and Supporting Memorandum of Law* requesting the Energy Bureau’s review and approval prior to submittal to COR3 and FEMA in thirty (30) days for the following project: “Fiona Permanent Work Area Plan: Mayagüez G,” dated June 26, 2025.

5. As of to date, the Energy Bureau has yet to issue a determination regarding the “Fiona Permanent Work Area Plan: Mayagüez G” submitted on June 27, 2025. For this reason,

LUMA has been unable to submit the Area Plan to FEMA and COR3. FEMA has expressed to LUMA the need for submission of said Area Plan as promptly as possible.

6. In view of the above, LUMA hereby reiterates to the Energy Bureau to approve the “Fiona Permanent Work Area Plan: Mayagüez G” project in order for LUMA to submit it to FEMA and COR3 as swiftly as possible in order to obtain their respective approvals and commence work.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **approve** the Area Plan for the T&D Project.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this Motion to counsel for PREPA Alexis Rivera, arivera@gmlex.net, and to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfr@sbglaw.com, Jennise M. Álvarez González, jennalvarez@sgblaw.com, and Francisco Santos, francisco-santos@gener-pr.com.

In San Juan, Puerto Rico, this 10th day of September 2025.



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